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# Texas State Board of Dental Examiners Newsletter

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We will be updating our Facebook page with information on upcoming public hearings, Board meetings and reminders of deadlines, etc. Click on this button to like our page and stay connected!

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Issue: #1

May 2015



Dear Lara,

Welcome to the first issue of the TSBDE newsletter! We are employing some new communication channels to keep our licensees informed. We will send you a newsletter approximately 4 times a year with important information including proposed and adopted changes to laws and rules as well as tips to keep you in compliance with them. We will be using our Facebook page to update you in between newsletters. We hope that you will find the information useful.

## Stakeholder Meeting

### Rule 108.54 Advertising of Specialties

Rule 108.54 addresses which areas of dental practice may be considered "specialty areas" of dental practice for the purposes of advertising. Rule 108.54 also addresses the qualifying criteria a dentist must meet in order to advertise as specialist in one of the specialty areas.

**Staff will convene a stakeholder meeting regarding this rule on:  
 Tuesday, May 12, 2015, at 10:00 a.m.  
 Tower 3, Room 102 William P. Hobby Jr. Building  
 333 Guadalupe Street Austin, Texas, 78701**

Stakeholders may also submit informal input by email to [stakeholders@tsbde.texas.gov](mailto:stakeholders@tsbde.texas.gov).

[Click here](#) for more information about the meeting.

## Retiring or Moving Practices?

As the regulatory agency for dentistry in Texas, the Board receives complaints on a variety of different subjects. The public turns to the Board for help with the obvious complaints, such as standard of care issues, fraudulent billing, or impaired providers. But a large number of complaints filed with the Board are the result of a simple lack of communication. When patients feel abandoned by their dentists, they file complaints with the Board for help with communicating with their dentist. Knowledge of

Board rules and clear communication with your patients can prevent Board complaints and the subsequent investigations they trigger.

Most dentists know the Board has rules for notifying patients about a practice closure (rule 108.5). But did you know that Board rule 108.8 requires any dentist "who leaves a location or practice, whether by retirement or otherwise" to either maintain his patient's dental records or enter into a written transfer of records agreement or records maintenance agreement with the succeeding dentist? This is because, generally, dental records are the property of the dentist who performed the dental service. However, as provided in rule 108.8, a dentist may enter into a transfer of records agreement or a records maintenance agreement. A transfer of records agreement transfers ownership of the dentist's records. A records maintenance agreement does not transfer ownership, but rather transfers the responsibility of maintaining the records to another dentist. If you are leaving a practice, and do not intend to maintain your patient's dental records, you must enter into a transfer of records agreement, or a records maintenance agreement.

Rule 108.8 also requires that the departing dentist notify the board of the records transfer/maintenance agreement within 15 days. Contracts between employee/employer dentists may contain language about the maintenance or transfer of records upon departure of the employee dentist. We often receive records transfer notification in connection with the sale of a clinic, but most dentists are not aware that a copy of the agreement must also be filed with the Board any time a dentist leaves employment at a group practice, retires, or closes a practice.

The purpose of the agreement and the requirement that it be filed with the Board is to ensure that patients you've treated can find out who maintains their records or simply where they can get copies. If the proper agreement is on file with the Board, we are happy to give callers the contact information you've provided so they can get access to their records for future treatment. A simple letter from you to the Board with the contact name, phone number, and address of the dentist who will maintain or own the records of your former patients could prevent a patient from filing a complaint against you for abandonment. Communicate with your patients when you leave a practice and let us know where your patients can get access to their records so we can pass it on. Avoid an avoidable complaint!

## Address Change Requirements

Each dentist, dental hygienist, registered dental assistant and dental lab owner or general manager is responsible for notifying the TSBDE office within 60 days of the change of address [Dental Practice Act, Section 256.105]. Licensees may update their address online at the time of renewal or mail or e-mail their change to the Board. If you E-mail your change, provide your full name, license type, license number and your new home or work address. If you do not update your address, you may experience a late license renewal requiring that a late penalty be paid. Renewal postcards are mailed 45 days prior to the license expiration date.

**Mail:** TSBDE, 333 Guadalupe, Tower 3, Ste. 800, Austin, TX 78701-3942

[Click here for the Change of Address Form.](#)

E-Mail: [info@tsbde.texas.gov](mailto:info@tsbde.texas.gov)

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